

ARGUMENTS/REMARKS

Claims 1 through 6, 8 through 15 and 17 through 20 remain pending in the present application. Claims 1, 8, 10, 17, 19, and 20 have been amended.

Claims 7 and 16 have been canceled.

Applicants sincerely appreciate the interviews that were kindly granted by Examiner on October 25, 2005, October 27, 2005, October 31, 2005 and lastly on November 1, 2005, to bring the application in condition for allowance. The agreed upon amendments will be recorded in an Interview Summary, by the Examiner.

In the Final Office Action mailed on July 27, 2005, claims 1 through 20 were rejected under 35 U.S.C. 102(b) being anticipated by U.S. Patent No. 3,934,593 to Mellinger (hereinafter "the Mellinger patent"). Applicant's respectfully disagree.

Independent claim 1 is directed to a molded breast pad for a brassiere having a body-contacting surface. Independent claim 1 provides for one or more first layers formed from a first material having a first loft associated therewith and one or more second layers formed from a second material having a second loft associated therewith. The first loft of one or more first layers is different than the second loft of one or more second layers. The molded breast pad is molded such that the first portion is compressed relative to the second portion thereby forming a demarcation line between the first portion and the second portion that is formed on the body-contacting surface and that is not visible on a wearer's breast during wear.

Independent claim 10 is directed to a molded breast pad having a body contacting surface, a first part having a relatively full loft; a second part having a loft relatively reduced from the loft of the first part. The molded breast pad also

has a demarcation line separating the first part from the second part that is formed on the body-contacting surface and is not visible on a wearer's breast during wear. The first part and the second part are both formed from a material block having one or more first layers of a first material and one or more second layers of a second material.

Independent claim 19 is directed to a method of forming a molded breast pad. Claim 19 includes the steps of providing a material block having one or more first layers of a first material and one or more second layers of a second material. The first material and the second material have different lofts. The material block is positioned in a molding apparatus such that the molding apparatus can interact with the material block to form one or more three-dimensional breast pads with a portion thereof being effected such that the portion has a relatively reduced loft. The reduced loft portion forms a line of demarcation with the rest of the three dimensional breast pad that is not visible on a wearer's breast during wear.

The Mellinger patent is directed to a strapless brassiere having two breast supports that are each separately applied to the breasts of the wearer. Each breast support is formed such that a narrow visible border 14 is formed between cushion 16 and wide border 10. Border 14 is visible on the outer surface of the of the breast support during wear (Fig.3).

The Office Action states that "Mellinger includes a line of demarcation (at 24; see Col. 2, line 11 and figure 3) that separates the reduced loft area from the rest of the breast pad. (Page 3)

Independent claim 1 claims a molded breast pad having a demarcation line between the first portion and the second portion that is formed on the body-contacting surface and that is not visible on a wearer's breast during wear. Similarly, claim 10 claims a breast pad having a demarcation line separating the

first part from the second part that is formed on the body-contacting surface and is not visible on a wearer's breast during wear.

Method claim 19 claims a method of forming a molded breast pad having a reduced loft portion that forms a demarcation line with the rest of said three dimensional breast pad that is not visible on a wearer's breast during wear.

The independent claims are allowable and clearly define over the Mellinger patent and the cited prior art of record. Dependent claims 2 through 6, 8 through 9, 11 through 15 and 17 through 18 and 20, which depend from independent claims 1, 10 and 19 respectively, are also allowable.

In view of the foregoing, Applicants respectfully submit that all claims presented in the application patently distinguish over the cited prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed on to allowance.

Respectfully submitted,



Charles N.J. Ruggiero, Esq.  
Reg. No. 28,468  
Attorney for the Applicants  
Ohlandt, Greeley, Ruggiero & Perle,  
L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
Tel: 203-327-4500  
Fax: 203-327-6401

November 8, 2005

Date